

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

OCT 28 2005

U.S. BANKRUPTCY COURT
BY DEB DEPUTY

IN RE:

CRYSTAL WARD DARBY,

DEBTOR

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CASE NO. 05-55502-rbk

CHAPTER 7

AMENDED
STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under Chapter 12 or Chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. **If the answer to an applicable question is "None," mark the space labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

1. Income from employment or operations of business

None

_____ State the gross amount of income the debtor has received from employment, trade or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE (IF MORE THAN ONE)
\$7,052.65 \$17,010.07	2005 – Gross amount of income from employment; Gross amount of income from business
\$9,730.88 \$62,405.00	2004 – Gross amount of income from employment; Gross amount of income from business
\$11,256.00 \$23,972.00	2003 – Gross amount of income from employment; Gross amount of income from business;

2. Income other than from employment or operation of business

None

☒

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$816.97	2005 – Gross amount of income not from business (oil royalties)
\$967.13	2004 – Gross amount of income not from business (oil royalties)
\$661.00	2003 – Gross amount of income not from business (oil royalties)

3. Payments to creditors

None

☐

- a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Chase (Circuit City) P.O. Box 100045 Kennesaw, GA 30156-9325		\$436	\$1,752.60
CitiBusiness Platinum Select PO Box 45205 Jacksonville, FL 32232-5205		\$731.81	\$394.28
Homecomings Financial P.O. Box 65015 Dallas, TX 75265-0515		\$2,520.63	\$92,419.92
Mitsubishi Motor Credit Company P.O. Box 0555 Carol Stream, IL 60132-0555		\$1,009.46	\$4,758.10
Chevron Texaco		\$241.71	\$0.00
ExxonMobil		\$62.01	\$0.00
Diamond Shamrock		\$47.30	\$0.00
Chase (Circuit City) P.O. Box 100045 Kennesaw, GA 30156-9325		\$336.00	\$1,752.60
CitiBusiness Platinum Select PO Box 45205 Jacksonville, FL 32232-5205		\$1,026.09	\$200.00

None

- X** b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

4. Suits and administrative proceedings, executions, garnishments and attachments

None

- X** a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

- X b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5. Repossessions, foreclosures and returns

None

- X List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

6. Assignments and receiverships

None

- X a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

- X b. List all property which has been in the hands of a receiver or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

7. Gifts

None

- List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under

chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
Texas Public Radio 8401 Datapoint Drive, Suite 800 San Antonio, TX 78229-5903	None	6/15/04 9/15/04 12/15/04 3/15/04	\$125 \$125 \$125 \$125
Planned Parenthood 104 Babcock Rd. San Antonio, TX 78201-2900	None	4/15/04 3/15/05 6/15/05	\$125 \$125 \$125
American Red Cross @ Kelly USA 809 Dave Crockett Bldg. #1536 at Bay 11 San Antonio, TX	None	Sept. 2005 Various Dates	Used Clothing and Toiletries - \$25 Approximate value

8. Losses

None

X List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

9. Payments related to debt counseling or bankruptcy

None

X List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Oppenheimer, Blend, Harrison & Tate, Inc. 711 Navarro, Sixth Floor San Antonio, TX 78205	September 9, 2005	\$209.00 payment for filing fees associated with this Chapter 7 Petition

10. Other transfers

None

 X List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

11. Closed financial accounts

None

 List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
CUNA Mutual Life Insurance Company Annuity 2000 Heritage Way Waverly, Iowa 50677	Contract #000040050457	\$16,596.07 10/4/04

Anheuser-Busch stock Mellon Investor Services 95 Challenger Road Ridgefield Park, NJ 07660 Pershing Securities One Pershing Plaza Jersey City, NJ 07399	Investor ID # 124947750149	\$2,413.45 – 2/19/05 \$947.87 – 3/3/05 \$3,335.07 – 6/15/05
Met Life – 30 Shares of Stock c/o Mellon Investor Services P.O. Box 4477 South Hackensack, NJ 07606-2047	Investor # 806227451982	\$1,222.66 – 3/4/05
E-trade account – various stocks P.O. Box 1542 Merrifield, VA 22116-1542	Investor # 65712284	\$1,400 – 2/25/05

12. Safe deposit boxes

None

 X List each safe deposit box or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

13. Setoffs

None

 X List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

14. Property held for another person

None

 List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
Steven Darby 337 S. Hanseman Carbondale, IL 62901	Miscellaneous men's and boy's clothing held for son valued at approximately \$100	6000 Trone Trail San Antonio, TX 78238

15. Prior address of debtor

None

X If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

16. Spouses and Former Spouses

None

 If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Douglas R. Darby – Divorced in 1986

17. Environmental Information

For the purpose of this question, the following definitions apply:

“Environmental Law” means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

“Site” means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None

X

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None

X

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None

X

- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

18. Nature, location and name of business

None

- a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Crystal Communications (sole proprietorship)	74-2945717	6000 Trone Trail San Antonio, TX 78238	Writing, Training Desktop Pub.	4/9/99 – Present
Alpha-Quadrant, Inc. (closely-held, private corporation)	74-2998911	10618 Auldine San Antonio, TX 78230	Business Consultation	3/4/01 – 1/30/03 Debtor resigned on 1/30/03. Corporation never issued stock.
Corona Visions, inc.	74-2837630	411 N. Medina San Antonio, TX 78207	Electronic Recycling	10/13/03 – Present

None

- ☒ b. Identify any business listed in response to subdivision a., above, that is “single asset real estate” as defined in 11 U.S.C. §101.

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

None

- ☐ a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name and Address	Date Services Rendered
Sherri Elasser 12802 Old Spanish Trail Live Oak, TX 78233	2001, 2002, and will file taxes for 2004 under extension

None
 X b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None
 X c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None
 X d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

20. Inventories

None
 X a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None
 X b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

21. Current Partners, Officers, Directors and Shareholders

None
 X a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None
 X b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

22. Former partners, officers, directors and shareholders

None

- X** a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.
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None

- X** b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.
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23. Withdrawals from a partnership or distributions by a corporation

None

- X** If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.
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24. Tax Consolidation Group

None

- X** If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of this case.
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25. Pension Funds

None

- X** If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of this case.
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DECLARATION CONCERNING DEBTOR'S STATEMENT OF FINANCIAL AFFAIRS

I declare under penalty of perjury that I have read the answers contained in the foregoing Amended Statement of Financial Affairs and any attachments thereto and that they are true and correct.

Date: 10/21/05

Crystal Ward Darby
CRYSTAL WARD DARBY

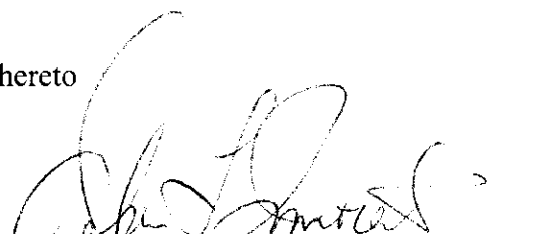
Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. Sections 152 and 3571.

CERTIFICATE OF SERVICE

I certify hereby that a true and correct copy of the foregoing Amended Statement of Financial Affairs has been served by First Class Mail, postage prepaid, on this the 28th day of October, 2005, addressed to the following party:

John Patrick Lowe
Chapter 7 Trustee
Dodson & Lowe
318 E. Nopal
Uvalde, TX 78801

Parties on Creditors Matrix attached hereto


Debra L. Innocenti

U.S. Trustee
P.O. Box 1539
San Antonio, TX 78295-1539

Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

Homecomings Financial
P.O. Box 65015
Dallas, TX 75265-0515

Bankruptcy Department
P.O. Box 939072
San Diego, CA 92193-9072

Mitsubishi Motor Credit Company
P.O. Box 0555
Carol Stream, IL 60132-0555

Bank of America MasterCard
Acct #54910000846581150
P.O. Box 650260
Dallas, TX 75265-0260

Bank of America Visa
Acct #4888607006035209
P.O. Box 53132
Phoenix, AZ 85072-3132

Capital One
Acct #4305721609800193
P.O. Box 650007
Dallas, TX 75265-0007

Chase Platinum MasterCard
Acct #5222760030810220
P.O. Box 15651
Wilmington, DE 19886-5651

Chase/Bank One
Acct #5483109200535270
P.O. Box 15298
Wilmington, DE 19850-5298

Choice Visa
Acct #4428135023854300
P.O. Box 6412
The Lakes, NV 88901-6412

Discover Platinum
Acct #6011006352501200
P.O. Box 15192
Wilmington, DE 19850-5192

Discover Titanium
Acct #6011300490616743
P.O. Box 30395
Salt Lake City, UT 94130-0395

Sears Gold MasterCard
Acct #5121070107239069
P.O. Box 6922
The Lakes, NV 88901-6922

Wells Fargo 4711
Acct #5490962400879471
P.O. Box 30086
Los Angeles, CA 90030-0086

Advanta
Acct #5477539412540015
P.O. Box 30715
Salt Lake City, UT 84130-0715

Chase (Circuit City)
Acct #1523003012426230
P.O. Box 100045
Kennesaw, GA 30156-9325

CitiBusiness Platinum Select
Acct #5588378003330700
P.O. Box 45205
Jacksonville, FL 32232-5205

Cingular/AT&T
P.O. Box 68056
Anaheim Hills, CA 92817-8056

SBC SmartPages
4119 Broadway
San Antonio, TX 78209

John Patrick Lowe
Chapter 7 Trustee
Dodson & Lowe
318 E. Nopal
Uvalde, TX 78801